

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIMBERLY PEREZ,

Plaintiff,

v.

TARGET CORPORATION, et al.,

Defendants.

No. 1:23-cv-01318-ADA-CDB

ORDER GRANTING STIPULATION TO
DISMISS DEFENDANT NIYOKO BROCK
AND TO REMAND ACTION TO KERN
COUNTY SUPERIOR COURT

(ECF No. 5)

On September 5, 2023, Defendant Target Corporation removed this action from Kern County Superior Court. (ECF No. 1.) After meeting and conferring, Plaintiff and Defendant Target filed a joint stipulation on October 5, 2023. (ECF No. 5.) In that stipulation, Plaintiff and Defendant Target agree that Defendant Niyoko Brock should be dismissed from this action and that the action should be remanded to state court. (ECF No. 5 at 2.) Defendant Brock has not filed an answer in either state or federal court, and dismissal is therefore proper pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Accordingly,

1. Defendant Niyoko Brock is dismissed from this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i);
2. This matter is remanded to the Superior Court for the State of California, County of Kern;

- 1 3. All deadlines, dates, and events in this action are vacated;
- 2 4. Each party shall bear its own attorney's fees and costs with respect to the removal
- 3 and subsequent remand of this action; and
- 4 5. The Clerk of Court is directed to close this case.

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6 IT IS SO ORDERED.
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8 Dated: October 10, 2023



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UNITED STATES DISTRICT JUDGE